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Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the combined third, fourth and fifth periodic reports of Romania*

I. General information

1. Please provide examples of cases in which the provisions of the Covenant have been invoked before and/or applied by the courts.

2. Please provide information on the measures taken to bring the Office of the Advocate of the People into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Please also indicate whether it is provided with adequate human and financial resources.

3. Please inform the Committee whether the State party views the declaration that it made at the time of ratifying the Covenant, in respect of article 26, paragraph 1, to be of continued relevance, or is considering withdrawing it.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 2, paragraph 1 – Obligation to take steps to the maximum of available resources

4. Please provide information on the concrete measures taken, as part of the 2012–2015 National Anti-Corruption Strategy, to address allegations of corruption, and on the impact of those measures, and also on the protection afforded to those who report cases of corruption.

Article 2, paragraph 2 – Non-discrimination

5. Please indicate what concrete steps have been taken by the State party to guarantee equal treatment, in law and in practice, for the most disadvantaged and marginalized

* Adopted by the pre-sessional working group at its fifty-third session (26–30 May 2014).

groups, including Roma, in all social sectors. Please provide an update on the main activities implemented as part of the 2012–2020 Strategy for the Inclusion of Romanian Citizens Belonging to the Roma Minority and include information on the impacts measured and obstacles encountered.

6. Please provide information on the possible increase in the number of the asylum reception centres of the Romanian Immigration Office so as to guarantee accommodation and basic services, including psychological assistance and medical services, to asylum seekers. Please explain whether the children of asylum seekers are admitted to primary and secondary schools without restrictions.

7. Please indicate measures taken to address societal discrimination on the grounds of sexual orientation, including discrimination in public education and in the health-care system.

Article 3 – Equal rights of men and women

8. Please provide information on the concrete results of the activities carried out under the 2010–2012 National Strategy for Equal Opportunities between Women and Men, which were aimed at eliminating discrimination against women. Please also indicate whether concrete measures have been taken to enhance the representation of women in the public and private sectors.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – Right to work

9. Please provide updated comparative statistical data on unemployment, disaggregated by full-time and part-time employment, the private and public sectors, Roma persons, urban and rural areas, the formal and informal economy, sex, and age group, between 2009 and 2013. Please provide information on the percentage of youth unemployment. Please also provide information on the long-term policies and strategies in place to address the root causes of youth unemployment and on the impact of those policies and strategies.

Article 7 – Right to just and favourable conditions of work

10. Please provide information on the concrete measures implemented in relation to the gender pay gap, in accordance with the General Plan of Action of the 2010–2012 National Strategy for Equal Opportunities, and on the impact of those measures.

11. Please inform the Committee about the mechanisms for review of the minimum wage (established in 2009) based on increases in the cost of living index.

Article 8 – Trade union rights

12. Please provide information on concrete measures taken to prevent the reported practice whereby certain employers make employment conditional upon the worker agreeing not to create or join a union. Please also inform the Committee about the measures put in place to guarantee full protection against acts of anti-union discrimination.

Article 9 – Right to social security

13. Please describe the specific measures taken to guarantee that the austerity measures adopted by the State party in 2009 and 2010 to cope with the economic and financial crisis do not have disproportionate effects on the social situation of the most disadvantaged and marginalized groups.

Article 10 – Protection of the family, mothers and children

14. Please provide information on the legislative and practical measures taken by the State party to put an end to the economic exploitation of children, including those from the most disadvantaged and marginalized groups, in particular Roma children and children working and living on the street. Please provide updated information on the reported cases of sexual exploitation of migrant children in "houses of confinement" in Bucharest, including the number of investigations and prosecutions.

15. Please provide an update on the measures taken to identify and support children left behind by parents who have emigrated, including the possibility of increasing the resources available to the social assistance services of municipalities.

16. Please provide information on legislative measures taken by the State party to combat human trafficking, on the mechanisms in place to ensure strict enforcement, and on the results achieved. Please provide updated information, disaggregated by age, sex, and ethnicity, on the number of complaints, investigations, prosecutions and sentences, in connection with cases of human trafficking.

17. Please provide information on the need to maintain financial aid to help provide heating to households that need it and on the challenges faced in keeping such a programme going.

Article 11 – Right to an adequate standard of living

18. Please provide updated information on the impact of the Social Housing for Roma Communities programme, as regards effective access to adequate housing and public services, such as water, electricity, sanitation and heating systems.

19. Please provide an update about the guidelines that set out the process that must be followed for evictions and explain if they are in line with the provisions of article 11 of the Covenant as elaborated upon by the Committee in its general comment No. 7 on the right to adequate housing. Please indicate what steps have been taken by the State party to provide redress with regard to reported cases of forced eviction in Cluj-Napoca, Baia Mare and Eforie Sud. Please provide information on how the Law on Housing protects not only tenants but also people without formal tenant status.

20. Please describe the impact of the concrete measures taken to ensure access to safe drinking water in both urban and rural areas. Please also provide information on the extent to which this access is granted to disadvantaged and marginalized households, including in Roma communities. Please provide updated disaggregated data on the percentage of the Romanian population, in both urban and rural areas, including disadvantaged and marginalized households, that has access to the public water supply system.

Article 12 – Right to health

21. Please describe concrete measures taken to assure adequate financing of the health-care system and to diminish inequities and corruption in the health-care sector.

22. Please provide information on the concrete measures taken to prevent the segregation of Roma in hospitals, and comment on information that Roma have been refused medical treatment and on reports of negligence towards Roma patients. Furthermore, please explain what measures have been taken with regard to such alleged cases.

23. Please report on the concrete measures taken to reduce the high rates of child mortality and malnutrition, particularly in rural areas, and to address their causes.

24. Please provide information on programmes designed to monitor HIV/AIDS and to prevent its spread, and on measures taken to provide medical support to persons affected by HIV/AIDS.

25. Please provide information on the measures taken to prevent and discourage the use of narcotics and to provide drug users with access to treatment and rehabilitation programmes.

Articles 13 and 14 – Right to education

26. Please provide information on the concrete measures taken by the State party to reduce possible hidden costs connected with compulsory education, including the cost of school supplies, contributions to the maintenance of school buildings, and costs related to recreational activities and teaching materials.

27. Please indicate what concrete measures have been taken to prevent and combat social stereotypes and discrimination against Roma children with regard to their access to formal education. Please provide updated information on the effectiveness of the implementation of the ministerial order of July 2007 banning segregation in schools.

Article 15 – Cultural rights

28. Please provide information on how the State party seeks to protect the teaching and use of minority languages and to respect and protect the cultural heritage of minorities.

29. Please indicate measures taken by the State party to ensure affordable access to the Internet by disadvantaged and marginalized individuals and groups, as well as in rural areas.